IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

Bail Appl..No. 4089 of 2007()

CMP.4004/2007 of J.M.F.C.,MAVELIKKARA
CRIME NO.139 OF 2007 OF THE KURATHIKKAD POLICE STATION

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PETITIONERS/ACCUSED NOS.1,3,11,4,5,7,16 & 17.

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1. VINOD, S/O SASI, AGED 30,
THOMMANCHERI KIZHAKKETHIL,
UMBARANATTU MURIYIL, THEKKEKARA VILLAGE.

2. VIPINDAS, S/O RAMADAS,
AGED 24, KANJIRAVILAYIL VEETTIL,
CHERUKUNNAM MURI, THEKKEKARA VILLAGE.

3. RAJESH, S/O SOMARAJAN, AGED 18,
THENGUMVILAYIL, UMBARANADU MURI,
THEKKEKARA VILLAGE.

4. REJI, S/O BHANU, AGED 35,
POOZHIKATTU VEEDU, CHERUKUNNAM WARD,
UMBERNADU MURI, THEKKEKARA VILLAGE.

5. RAJEEV, S/O RAMACHANDRAN,
AGED 25, VALAYAVEETTIL,
UMBERNADU MURI, THEKKEKARA VILLAGE.

6. PRADEEP, S/O CHANDRAN PILLAI,
AGED 31, MONIMANDIRAM,
UMBERNADU MURI, THEKKEKARA VILLAGE.

7. ARUN, S/O THANKAPPAN, AGED 26,
THENGUVILAYIL VEEDU, PONAKAM MURI,
THEKKEKARA VILLAGE.

8. RAJESH, S/O RAMACHANDRAN, AGED 26,
SANTHOSH BHAVANAM, VARENIKAL MURI,
THEKKEKARA VILLAGE.

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SMT.C.G.PREETHA
SMT.P.RANI DIOTHIMA

RESPONDENTS: COMPLAINANT/STATE

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4089 of 2007

Dated this the 6th day of July 2007

O R D E R

Application for regular bail. The petitioners face allegations inter alia under Sections 307 and 324 I.P.C and Section 27 of the Arms Act. The alleged incident took place on 03/06/2007. The incident in question is allegedly part of a series of incidents of conflict between C.P.M and R.S.S workers in the locality. The petitioners were arrested on various dates between 04/06/2007 and 11/06/2007. They continue in custody from that date.

2. The learned counsel for the petitioners prays that the petitioners may now be enlarged on bail. The application is opposed by the learned Public Prosecutor who submits that a tense law and order situation prevails in the locality. Investigation is not complete. Release of the petitioners on bail at this early stage is likely to hamper the smooth course of the investigation and also endanger the precarious law and order situation in the locality now. If this court were inclined to grant bail, appropriate conditions may be imposed, prays the learned Public Prosecutor.

3. Having considered all the relevant inputs, I am satisfied that the petitioners can be enlarged on bail subject to appropriate conditions which would allay the apprehension aired by the learned Public Prosecutor.

4. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 13/07/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall not enter the Sessions Division of Alleppy until further orders except for the purpose of complying with condition No.iv) below.

iv) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays for a period of three months.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007